

TAXI AND PRIVATE HIRE CARS

Application to Vary a Taxi/PHC Licence to
Allow fitting of Safety Camera/Front Facing Camera Equipment

This application must be accompanied by the appropriate fee and lodged at:

Licensing Section
249 High Street
Edinburgh EH1 1YJ

T: 0131 529 4208 F: 0131 529 4207

OFFICIAL USE ONLY Record of Application	
DATE	
TILL NO.	
RECEIPT NO.	
INITIALS	
FEE	

-ALL QUESTIONS MUST BE ANSWERED IN TYPESCRIPT OR BLOCK CAPITALS
-PLEASE READ THE NOTES CAREFULLY BEFORE COMPLETING THIS FORM
- IF YOU HAVE EVER HAD A LICENCE OF ANY TYPE YOU MUST STATE THE REFERENCE NO. (ON ORIGINAL DOCUMENTATION) HERE _____

1 Details of APPLICANT / LICENCE HOLDER (or representative)					
a	Full Name				
b	Occupation				
c	Date & Place of Birth		DoB:	Place:	
d	Home Address		Postcode:		
e	Contact telephone numbers				
2 Current Taxi/PHC Licence Details					
	Number		Expiry Date		//
3 Particulars of vehicle for which permission is sought					
	Registration Number		Date of 1st Registration		//
	Make	Model	Plate No		
4	Data Controller		Certificate Valid from/to		
5	Make/Model and serial number(s) of equipment.		Safety Camera or Front Facing Camera <i>(delete as applicable)</i>	Serial Nos.	Make/Mod
6	Location of equipment within vehicle.				

I, the undersigned declare the particulars given by me on this form are true and I hereby request the City of Edinburgh Council to vary the standard conditions of my licence to allow the installation of wifi equipment detailed in the application. I have read and understood the conditions governing the installation of wifi or similar equipment in taxis or private hire cars adopted by the Council (see reverse). I acknowledge that the Council in considering the application may make such reasonable inquiries as they think fit and include the results of these inquiries in matters they take into account.

Signature of Applicant	Date
	/ /

Appendix 1

CITY OF EDINBURGH COUNCIL

SERVICES FOR COMMUNITIES- COMMUNITY SAFETY

GUIDANCE NOTE FOR TAXI TRADE

REQUESTING PERMISSION FOR FITTING OF SAFETY CAMERA SYSTEMS IN TAXIS AND PRIVATE HIRE CARS

1. This note is designed to assist taxi and private hire car (PHC) licence holders who wish to fit safety cameras to their vehicles. This note is not designed to cover any camera systems which record data outside the vehicle.
2. Conditions 206 and 261 of the Council's Licensing Conditions for Taxis and PHCs prohibit the addition of any fittings to taxis or PHCs, unless the licence holder obtains the approval of the Cab Inspector.
3. The Council does not endorse or approve any particular manufacturer or type of camera system. It is for licence holders to select the type of camera system that they consider meets their needs. A list of previously approved camera systems will be held at the Taxi Examination Centre, and will be available on request.
4. Before the purchase or fit of any camera system the licence holder should ensure
 - that it can meet the Council's requirements
 - they obtain legal advice and understand the requirements of the Data Protection Act 1998 that can arise for the camera system being fitted
 - they comply with these requirements.
5. It is recommended that any such equipment is installed by qualified engineers/suppliers.
6. The Council's Regulatory Committee has authorised the fitting of such camera systems and any associated equipment, provided the following requirements and conditions are complied with –
 - Camera systems are only to be used for the purposes of driver safety. This may also benefit passengers.
 - All equipment must comply with any legislative requirements in respect of Motor Vehicle Construction and Use Regulations, and the Council's Conditions of Fitness.
 - All equipment must be designed, constructed and installed in such a way and in such materials as to present no danger to passengers or driver, including impact with the equipment in the event of a collision, or danger from the electrical integrity being breached through vandalism, misuse, or wear and tear.
 - All equipment must be installed as prescribed by the equipment and/or vehicle manufacturer installation instructions.

- The installed system must not weaken the structure or any component part of the vehicle, or interfere with the integrity of the manufacturer's original equipment.
 - All equipment must be installed in such a manner so as not to increase the risk of injury and/or discomfort to the driver and/or passengers. For example, temporary fixing methods such as suction cups will not be permitted, or lighting, such as infra-red, which emits at such a level that may cause distraction or nuisance to the driver and/or passengers.
 - Equipment must not obscure or interfere with the operation of any of the vehicle's standard and/or mandatory equipment, e.g. not mounted on or adjacent to air bags/air curtains, or within proximity of other supplementary safety systems which may cause degradation in performance or functionality of such safety systems.
 - No equipment may interfere with the driver's view.
 - Viewing screens within the vehicle for the purposes of viewing captured images are not permitted.
 - All wiring must be fused as set out in the manufacturer's technical specification, and be appropriately routed.
 - Any sound recording must comply with the Data Protection Act 1998 and the Information Commissioner's Office CCTV Code of Practice (Revised edition 2008), and any guidance on this topic which is subsequently published.
 - The approval to fit a camera system granted by the Cab Inspector would include permission to display any appropriate warning stickers or signs which are required by the Data Protection Act 1998, provided such signs or stickers are of a reasonable size, do not obscure views through the windows, and do not contain advertising.
7. If licence holders consider they meet the above requirements, they will be required to pay for a vehicle examination by Taxi Examination Centre staff. The taxi or PHC should not be operated as a taxi or private hire car between the time the camera is installed and the time at which it is approved.
 8. If the equipment is later removed there is no requirement to notify the Cab Inspector of its removal, but any damage to the vehicle caused by removal must be remedied to an acceptable standard.
 9. If safety cameras are fitted to taxis or PHCs, it is possible that the pictures held in the camera would be 'data' that has to be held in accordance with the terms of the Data Protection Act 1998. If the Act applies, the person who is regarded as the 'Data Controller' for these pictures must be registered with the Information Commissioner and the Data Controller shall ensure compliance with the terms of the Act. A 'Data Controller' is defined as the person who determines the purposes for which, and the manner in which, any data are processed.

10. It is the responsibility of any person having control or access to the stored pictures to ensure that the terms of the Data Protection Act 1998 are complied with. It is therefore a matter for (a) any camera supplier who holds or has access to pictures in such cameras and (b) any taxi licence holder, PHC licence holder, taxi driver or private hire driver or booking office licence holder who holds or has access to pictures in such cameras to obtain their own legal advice as to whether the Data Protection Act applies and, if so, who is required to be the Data Controller in any particular situation. This can be a complex issue and depends on the type of system used and who has access to the pictures. The Council cannot provide licence holders with legal advice on such matters.
11. Any failure on the part of any licence holders in complying with the Data Protection Act 1998, or any misuse of the stored images, could result in a report being made to the Council's Licensing Sub-Committee and could lead to a suspension or refusal of a licence.
12. It will be a condition of licence that an image from any camera must not be used for any commercial purpose or circulated on any social media website. Any breach of the guidance or the Data Protection Act would be considered misconduct by the Council, and the relevant licence holder would be reported to the Licensing Sub-Committee for the

Appendix 2

Guidance on Data Protection Act 1998

If safety cameras are fitted to taxis or private hire cars (PHCs), it is possible that the pictures held in the camera would be classed as 'data' that has to be held in accordance with the terms of the Data Protection Act 1998.

If the Act applies, the person who is regarded as the 'Data Controller' for these pictures would be required to be registered with the Information Commissioner, and to comply with the terms of the Act.

A 'Data Controller' is defined as the person who determines the purposes for which, and the manner in which, any data are processed.

It is the responsibility of any person having control or access to the stored pictures to ensure that the terms of the Data Protection Act 1998 are complied with. It is therefore a matter for

- (a) any camera supplier who holds or has access to pictures in such cameras, and
- (b) any taxi licence holder, PHC licence holder, taxi driver or private hire driver or booking office licence holder who holds or has access to pictures in such cameras

to obtain their own legal advice as to whether the Data Protection Act applies and, if so, who is required to be the Data Controller in any particular situation.

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